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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,040	06/15/2001	Colin I' Anson	1509-188	5161

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EXAMINER	
ELAHEE, MD S	
ART UNIT	**PAPER NUMBER**
2645	

DATE MAILED: 03/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/881,040	I' ANSON ET AL.	
	Examiner	Art Unit	
	Md S Elahee	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,7-11 and 13-42* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,7-11 and 13-42* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *06/15/01 & 10/06/0*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This action is responsive to an amendment filed on 03/16/04. Claims 1, 7-11 and 13-42 are pending. Claim 43 has been cancelled.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 7-11 and 13-42 have been fully considered but are moot in view of the new ground(s) of rejection which is deemed appropriate to address all of the limitations at this time.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1, 8-11 and 13-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Valentine et al. (U.S. Patent No. 6,011,973) and in view of Suzuki (U.S. Patent No. 6,129,274).

Regarding claim 1, Valentine teaches conducting a transaction of a user for a service which qualifies the user as authorized to benefit from a particular location-triggered service (col.1, lines 54-67, col.2, lines 1-14, line 45- col.3, line 20).

Valentine teaches location data indicative of at least one location where service delivery is to be triggered (col.1, lines 54-67, col.2, lines 1-14, line 45- col.3, line 20).

Valentine further teaches a program (i.e., user-associated instance of executable program), updated (i.e., customized) for the transaction, for implementing the particular service (col.1, lines 54-67, col.2, lines 1-14, line 45- col.3, line 3).

Valentine further teaches subsequently detecting a location match between the location of the user, as indicated by the location of a mobile entity associated with the user, and a location indicated by the location data, and thereupon initiating execution of the program (i.e., user-associated program instance) to deliver the particular service to the user (col.1, lines 54-67, col.2, lines 1-14, line 45- col.3, line 20).

However, it is not clear whether Valentine teaches "conducting a transaction of a user purchasing a service or product". Suzuki teaches conducting a transaction of a user purchasing a service or product (abstract; fig.1; col.8, lines 54-61). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Valentine to incorporate a feature of conducting a transaction of a user purchasing a service or product as taught by Suzuki. The motivation for the modification is to have doing so in order to provide shopping transaction history data in a convenient form.

Regarding claim 8, Valentine teaches that the program (i.e., user-associated program-code instance) is customization data of generic code for implementing the service (col.1, lines 54-67, col.2, lines 1-14, line 45- col.3, line 3).

Regarding claim 9, Valentine teaches that service delivery is conditional upon the user downloading a location information (i.e., inputting a personal identification code) (col.1, lines 54-67, col.2, lines 1-14, line 45- col.3, line 3).

Regarding claim 10, Valentine teaches that the message (i.e., service) delivery only continues whilst the user's current location matches with a location indicated by the location data (col.1, lines 54-67, col.2, lines 1-14, 45- 60).

Regarding claim 11, Valentine teaches that once initiated, service delivery is continued until completion (col.1, lines 54-67, col.2, lines 1-14, col.3, lines 21-40).

Regarding claim 13, Valentine teaches that the location data is indicative of multiple locations (col.3, lines 4-40).

Regarding claim 14, Valentine teaches that program (i.e., user-associated program instances) associated with different services instances to be delivered to the same user, are stored in a memory (i.e., common repository) (col.1, lines 54-67, col.2, lines 1-14, line 45- col.3, line 3).

Regarding claim 15, Valentine teaches that the program (i.e., user-associated program instance) is passed by the party that carries out the qualification step to the user or to a third-party, the program being inherently digitally signed by the party that carries out the qualification step whereby to enable an eventual service deliverer to check the origin and authenticity of the program (col.2, line 45- col.3, line 3).

Regarding claim 16, Valentine teaches that the current user location is provided to the entity carrying out location matching in step (b) by a trusted location service provider and is inherently digitally-signed by the latter (col.2, line 45- col.3, line 20).

Regarding claim 17, Valentine teaches that the program (i.e., user-associated program instance) specifies a particular number of times (including only once) that the program can be

run (col.2, line 45- col.3, line 49). (Note; periodic location update with the period is set by the base station, it is inherent that updating program can be run only once)

Regarding claim 23, Valentine teaches that the program (i.e., user-associated program instance) is stored in the mobile entity, the detection of a location match in step (b) resulting in the location information (i.e., program instance) being executed at the mobile entity (col.2, line 45- col.3, line 49).

Regarding claim 24, Valentine teaches that the program (i.e., user-associated program instance) is stored in the mobile entity, the detection of a location match in step (b) resulting in the location information (i.e., program-code instance) being passed from the mobile entity to a service provider system where it is executed (col.2, line 45- col.3, line 49).

Regarding claim 25, Valentine teaches that the program (i.e., user-associated program-code instance) is stored in the service provider system, the detection of a location match in step (b) resulting in the location information (i.e., program-code instance) being executed by the service provider system (col.2, line 45- col.3, line 49).

Regarding claim 26, Valentine teaches that the program (i.e., user-associated program instance) and the location data are stored in the same entity (col.2, line 45- col.3, line 49).

Regarding claim 27, Valentine teaches that the program (i.e., user-associated program instance) and the location data are stored in the different entities, the location data having associated data enabling the entity storing the location information (i.e., program instance) to be informed when a location match is detected in step (b) (col.2, line 45- col.3, line 49).

Regarding claim 18 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Valentine teaches a memory 150 (i.e., location-data repository) (fig.1).

Valentine further teaches a database 190 (i.e., service repository) (fig.1; col.3, lines 9-13).

Valentine further teaches a base station 180 (i.e., service factory) (fig.1).

Valentine further teaches a cellular telephone network 170 (i.e., qualification subsystem) to benefit from a particular location-triggered service, the cellular telephone network being arranged, upon determining that the user is so qualified, both to store in the memory location data indicative of at least one location where service delivery is to be triggered, and also to create in the base station and store in the cellular telephone network a database (i.e., program-code repository) a program (i.e., user-associated instance of executable program) for implementing the particular service (fig.1; col.1, lines 54-67, col.2, lines 1-14, line 45- col.3, line 20).

Valentine further teaches a service execution environment for executing program (i.e., user-associated program instances) (col.1, lines 54-67, col.2, lines 1-14, line 45- col.3, line 3).

Valentine further teaches a location-match subsystem for detecting a location match between the location of the user, as indicated by the location of a mobile entity associated with the user, and a location indicated by the location data (col.1, lines 54-67, col.2, lines 1-14, line 45- col.3, line 20).

Valentine further teaches a control arrangement responsive to the location-match subsystem detecting a location match to initiate execution of the program (i.e., user-associated program instance) to deliver the particular service to the user (col.2, line 45- col.3, line 20).

Regarding claim 19, Valentine teaches that the memory (i.e., location repository) is incorporated in the mobile entity associated with the user (fig.1; col.2, lines 45- 60).

Regarding claim 20, Valentine fails to teach "the service repository is incorporated in the mobile entity associated with the user". Suzuki teaches that the transaction history storage area

86 (i.e., service repository) is incorporated in the personal digital shopping assistant 10 (i.e., mobile entity) associated with the user (abstract; fig.1, 2; col.7, lines 58-67, col.8, lines 1-14, 54-61, col.10, lines 19-26, col.11, lines 3-19). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Valentine to allow the service repository being incorporated in the mobile entity associated with the user as taught by Suzuki. The motivation for the modification is to have doing so in order to store a shopping transaction history data.

Regarding claim 21, Valentine teaches that the message (i.e., service) execution environment is incorporated in the mobile entity associated with the user (col.1, lines 54-67, col.2, lines 1-14, line 45- col.3, line 3).

Regarding claim 22, Valentine teaches that the service execution environment is separate from the mobile entity but can inter-communicate with the latter via a wireless infrastructure at least when the mobile entity is positioned to give rise to a location match, the mobile entity being operative to pass the location information (i.e., user-associated program instance) to the execution environment via the wireless infrastructure upon occurrence of a location match (col.1, lines 54-67, col.2, lines 1-14, line 45- col.3, line 20).

5. Claims 28, 29, 31 and 33-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Valentine et al. (U.S. Patent No. 6,011,973) and in view of Scroggie et al. (U.S. Patent No. 6,185,541).

Regarding claim 28 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Valentine teaches that the location information (i.e., service token) indicative of the qualified user's entitlement to benefit from the particular service (col.1, lines

54-67, col.2, lines 1-14, line 45- col.3, line 20). (Note: since location information refers to whether the requested service or operation is authorized, the 'location information' read on the claimed 'service token')

However, Valentine fails to teach "a service identifier identifying said particular service". Scroggie teaches a specified customer id (i.e., service identifier) identifying the purchase of any number of selected items (i.e., particular service) (abstract; fig.14; col.12, lines 29-31). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Valentine to allow a service identifier identifying the particular service as taught by Scroggie. The motivation for the modification is to have doing so in order to provide unique identification during the purchase transactions.

Valentine further teaches that the location information being stored in a mobile entity associated with the user (col.2, lines 45- 60).

Valentine further teaches that the service provider system checks that the location information originates from a party for which it is willing to provide service delivery before initiating delivery (col.1, lines 54-67, col.2, lines 1-14, line 45- col.3, line 20).

Regarding claim 29, Valentine teaches that the service token includes communication address details of the service provider system (col.2, lines 45- 60).

Regarding claim 31, Valentine teaches that the service token includes both a service identifier and a user identifier, step (b) including a sub-step of the service provider system checking the identity of the user of the mobile entity against the user identity in the service token (col.1, lines 54-67, col.2, lines 1-14, line 45- col.3, line 20).

Regarding claim 33 is rejected for the same reasons as discussed above with respect to claim 9.

Regarding claim 34, Valentine teaches that the service token is digitally-signed by the party that carries out the qualification in step (a) whereby the service provider system using this digital signing of the service token to check the origin and authenticity of the service token (col.1, lines 54-67, col.2, lines 1-14, line 45- col.3, line 20).

Regarding claim 35 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Valentine teaches the database 190 (i.e., location server) of a wireless (i.e., cellular telephone) communications infrastructure usable by the mobile entity (fig.1; col.3, lines 4-20).

Regarding claims 36-38 are rejected for the same reasons as discussed above with respect to claims 13, 14 and 17 simultaneously.

Regarding claims 39, 42 are rejected for the same reasons as discussed above with respect to claim 8.

Regarding claim 40 is rejected for the same reasons as discussed above with respect to claims 18 and 28. Furthermore, Valentine teaches that a service delivery subsystem for providing the particular service, the service delivery subsystem being separate from the mobile entity (fig.1; col.1, lines 54-67, col.2, lines 1-14, line 45- col.3, line 20).

Regarding claim 41 is rejected for the same reasons as discussed above with respect to claim 19.

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Valentine et al. (U.S. Patent No. 6,011,973) and in view of Suzuki (U.S. Patent No. 6,129,274) and further in view of Eldridge et al. (U.S. Patent No. 6,601,102).

Regarding claim 7, Valentine teaches that the program (i.e., user-associated program instance) includes user identity data and is digitally-signed by the party that carried out the qualification step (a) whereby the service provider system can check the authenticity of the data in the program (abstract; fig.3; page 4, lines 14-20, page 10, lines 6-14, 23, 24).

However, Valentine in view of Suzuki fails to teach "the user mobile entity having an associated key pair, formed by a public-key and a private key, and being required by the service provider system to authenticate its identity by using its private key to sign and return data proposed by the service provider system". Eldridge teaches that the user mobile entity having an associated key pair, formed by a public-key and a private key, and being required by the server (i.e., service provider system) to authenticate its identity by using its private key to sign and return data proposed by the server (fig.1, 2; col.4, lines 9-15, 42-67, col.5, lines 1-8, col.7, lines 5-29, 48-51, 56-67, col.8, lines 1-25). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Valentine in view of Suzuki to allow the user mobile entity having an associated key pair, formed by a public-key and a private key, and being required by the service provider system to authenticate its identity by using its private key to sign and return data proposed by the service provider system as taught by Eldridge. The motivation for the modification is to have doing so in order to perform secure token-based document transaction services using key pair.

7. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Valentine et al. (U.S. Patent No. 6,011,973) and in view of Scroggie et al. (U.S. Patent No. 6,185,541) and further in view of Norris (U.S. Patent No. 6,718,328).

Regarding claim 30, Valentine in view of Scroggie fails to teach "the service token includes a password for accessing the service provider system". Norris teaches that the service token includes a password for accessing the server (i.e., service provider system) (col.5, lines 34-47). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Valentine in view of Scroggie to allow the service token including a password for accessing the service provider system as taught by Norris. The motivation for the modification is to have doing so in order to perform secure media file transaction services using password based token.

8. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Valentine et al. (U.S. Patent No. 6,011,973) and in view of Scroggie et al. (U.S. Patent No. 6,185,541) and further in view of Eldridge et al. (U.S. Patent No. 6,601,102).

Regarding claim 32 is rejected for the same reasons as discussed above with respect to claim 28. Furthermore, Valentine teaches that the location information (i.e., service token) includes user identity data and is digitally-signed by the party that carried out the qualification in step (a) whereby the service provider system can check the authenticity of the data in the location information, the user mobile entity having an associated To Address field (i.e., public-key/private-key pair) and being required by the service provider system to authenticate its identity by using its Address field (i.e., private key) to sign and return data proposed by the service provider system (col.1, lines 54-67, col.2, lines 1-14, line 45- col.3, line 20).

However, Valentine in view of Scroggie fails to teach "the user mobile entity that passes the service token to the service provider system". Eldridge teaches the user mobile entity that passes the service token to the server (i.e., service provider system) (abstract; col.6, line 56-col.7, line 3). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Valentine in view of Scroggie to allow the user mobile entity that passes the service token to the service provider system as taught by Eldridge. The motivation for the modification is to have doing so in order to perform secure token-based document transaction services.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Beliveau (U.S. Patent No. 5,568,153) teach Individually defined personal home area for subscribers in a cellular telecommunications network and Tsoukas et al. (International Pub. No. WO 97/41654) teach Telecommunications information dissemination system.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S Elahee whose telephone number is (703)305-4822. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703)305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)

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November 26, 2004

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